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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION No. 5076 OF 2006
IN
FIRST APPEAL No. 1376 OF 2007

Office notes, office memoranda of coram, appearances, Court's orders directions & Registrar's orders	Court's or Judge's order

Mr. K. K. Tated, AGP for the applicant.

Mr. G. K. Maurya, h/f Mr. P.H. Patnis, advocate for the respondent.

CORAM: J. N. PATEL,
AND
A. A. SAYED, JJ.

DATE : APRIL 17, 2007.

P.C.:

. We have gone through the award passed by the learned trial court. Prima facie we are of the view that the award is on higher side, in so far as assessment of the market value of the land

in question is concerned. Therefore, we are inclined to grant stay to the effect and operation of the judgment and award, on the condition that the appellant shall deposit 25% of the enhanced compensation with the reference Court within a period of six weeks. On such amount being deposited, the respondent would be at liberty to withdraw the same, on furnishing surety. The balance amount to be deposited in the reference court within 12 weeks. The balance amount of the award so deposited in the reference court, which shall be invested in fixed deposit initially for a term of 7 years in any nationalised bank, to be renewed from time to time, untill further

orders.

2. Civil Application stands disposed off.

[A. A. SAYED, J.] [**J. N. PATEL, J.]**